

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **CRIMINAL NO. 1:06-CR-0219**
:
v. : **(Judge Conner)**
:
RYAN JAMES CRAIG :

ORDER

AND NOW, this 11th day of August, 2008, upon consideration of defendant's *pro se* motion for release on bond pending appeal (Doc. 163), and it appearing that the court "shall order that a person who has been found guilty of an offense and sentenced to a term of imprisonment, and who has filed an appeal . . . be detained, unless the judicial officer finds by clear and convincing evidence that the person is not likely to flee . . .," 18 U.S.C. § 3143(b), and the court finding that defendant has been found guilty of wire fraud and failure to appear for trial (see Doc. 133), and that by its very nature the finding of defendant's guilt on the failure to appear for trial charge makes it impossible for the court to now find by clear and convincing evidence that defendant is "not likely to flee," 18 U.S.C. § 3143(b); see also United States v. Bissell, 954 F. Supp. 903, 907 (D.N.J. 1997) (stating that "any flight or failures to appear in court proceedings prior to or during the time of trial" is a factor militating against post-conviction release), it is hereby ORDERED that the motion (Doc. 163) is DENIED.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge